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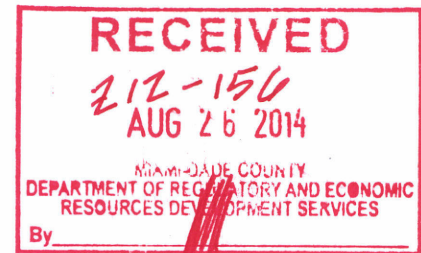
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August 26, 2014

VIA HAND DELIVERY

Eric Silva, AICP
Department of Regulatory and Economic Resources
Miami-Dade County
111 N.W. 1 Street, 11th Floor
Miami, Florida 33128



Re: Lones Family Limited Partnership, LP, Pinewood Acres School, Inc. and Lee S. and Judy C. Lones / Third Amended Letter of Intent / Somerset Academy at Pinewood Acres / Z12-156

Dear Mr. Silva:

This Third Amended Letter of Intent and the enclosed set of revised architectural and landscape drawings ("Revised Drawings"), technical traffic memoranda, traffic operations plan and responses to County staff comments are submitted on behalf of Lones Family Limited Partnership, LP, Pinewood Acres School, Inc. and Lee S. and Judy C. Lones (the "Applicants"), in support of their application for the expansion of a charter school at approximately 9500 SW 97th Avenue in Miami-Dade County. The property consists of approximately ± 8.3 acres of land on both sides of SW 96th Street and west of SW 97th Avenue (the "Property").

This amendment further **reduces the proposed student enrollment from 1,850 students in grades K – 12 on the Property to a maximum of 1,260 students in grades K – 8 on the Property.** The Revised Drawings incorporate additional changes to address the concerns outlined by the Traffic Engineering Division (TED) of Miami-Dade County. Based on the above mentioned amendments, the Applicants hereby requests the approval of (i) a Special Exception to permit a charter school serving 1,260 students in grades K through 8 on the Property, and (ii) a non-use variance to allow parking areas less than twenty-five (25) feet from official rights of way.

The requested variance for the location of the parking area is permitted by the County Code, which provides that non-use variances may be granted where: (1) the variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community; and (2) the variance is compatible with the surrounding land uses and would not be detrimental to the community. The requested non-use variance will permit the development

of the school with adequate parking areas to minimize the impact of the anticipated traffic demands on the surrounding roadways and neighborhood. The proposal maintains the basic intent and purpose of the zoning regulations, protects the appearance of the community, protects the general welfare of the community and is compatible with the surrounding land uses, therefore complying with each of the above referenced criteria.

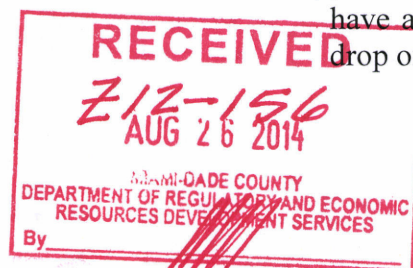
Attached to this letter is (i) a detailed set of responses from Civica, the Applicant's architectural firm, that address the TED comments in their May 15, 2014 email to the applicant's representatives, (ii) a revised traffic technical memorandum, dated June 12th, 2014 which responds to TED traffic study comments and (iii) a July 25th, 2014 traffic memorandum that provide an analysis of the proposed conditions at the Property without the use of any police mitigation.

In particular, we would like to point out some of the following items for your consideration:

- While the road that bisects the north and south campuses (SW 96th Street) is a dead-end residential road that serves approximately 15 residences and has very little traffic as a result, at TED's request the Applicant has nevertheless designed the school to provide for each of the south and north campuses to operate without the need for routine crossings of SW 96th Street by students. Recreational amenities, dining facilities, and classrooms are located on both campuses and there is no need for students to cross the road for any day to day activity. To the extent that students need to cross SW 96th Street for a special event (a presentation or other school-wide activity), the school will put into effect safeguards to ensure the safe crossing of the students. This design, however, does place a lot of the school's parking on the north campus which will require teachers to cross to the south campus if they teach on that side. These crossings, by adults, will occur at the marked and striped mid-block cross walk.
- Please note that at TED's request, the Applicant has redesigned the site plan to provide for an entrance to the north campus from SW 96th Street. This adjustment increases the internal queue length on the north campus and serves to internalize an even greater percentage of the traffic operations generated by the school.
- The updated Traffic Study (dated June 12th, 2014) that we are submitting herewith also addresses those TED comments identified in the May 15th email, and specifically provides for a Traffic Operations Plan (TOP) for staff's review. Additionally, as discussed with staff in meetings, the study takes into account not just the typical intersection analyses and stacking considerations, but also the presence of Miami Killian High School to the south of the Property. As staff know, Miami Killian does all of its drop-off and dismissal activities in the right-of-way with no internal queuing provided. By contrast the school on the Property is designed to provide in excess of one hundred percent internal queuing capacity.



- Additionally, and again at TED's request, the Applicant analyzed the proposed school impacts WITHOUT the use of an off-duty police officer to manage traffic (the July 25th, 2014 technical memorandum). Even in that scenario, the revised Technical Memorandum reflects that the proposed school at 1,260 would meet all acceptable levels of service even without the use of any police mitigation. Nevertheless it is accepted practice that the use of a police officer to control traffic is desirable since a police officer has the training and ability to react to and address changing situations on a near-instant basis which undoubtedly proves beneficial to traffic flow at any school. As such, despite the data evidencing that the school could operate without a police officer, the school is still proposing to use police mitigation, as needed, to better manage flow and conditions.
- Perhaps most noticeably the Applicant and school are proposing a substantial **reduction in student capacity to 1,260 students**, which reflects a 37% reduction from the original request of 2,000 students. Additionally, the Applicant and school are also revising the request to provide for a K-8 school, thus **removing the high school component originally proposed for the Property**. In conversations with County staff, and the surrounding neighbors (with whom we have met both informally and at various organized community meetings), the presence of a high school at this Property was typically high on the list of concerns. By removing the high school component we can make the following statements regarding the campus and the application:
 - No high school students eliminates any student drivers, thus alleviating any concern with spill-over parking into the surrounding neighborhood or general concerns of high-school age children driving.
 - Similarly, there is no need to provide for student parking on-site, which allows the school to propose 13 visitor spaces, as required by applicable law, and **an additional 39 'unassigned' spaces** to help with any parking concerns.
 - High school students typically commence their school day at an earlier hour than K-8 students. In particular, this school's impacts and proximity to Killian High School have been noted by both the neighbors and County staff in many conversations. By removing the high school component the first drop-off period for any student at the Property will be at 8:00 a.m. In contrast, Killian High School's only morning drop-off is completed by 7:20 a.m. when the student bell rings and first period begins. By removing the high school component (which likely would have started at a similar time as Killian High School), the proposed school on the Property will have a forty minute gap for its first drop off from Killian High School's drop off. This will serve to improve conditions along SW 97th Avenue.



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Based on the foregoing, we respectfully request the Department's favorable consideration of this application. Should you have any questions or concerns, please do not hesitate to contact me. Thank you for your attention to this matter.

Sincerely,



Hugo P. Arza

Enclosures

Cc: Juan J. Mayol, Jr., Esq.

